

Notice of Allowability

Application No.

10/076,342

Examiner

Ha D. Ho

Applicant(s)

KOBAYASHI ET AL.

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 6/15/04.
2. ☒ The allowed claim(s) is/are 1-5 and 7-11.
3. ☒ The drawings filed on 19 February 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

1. This Office Action is responsive to Applicant's Amendment filed on 6/15/04. Claim 1 has been amended accordingly.

2. Claims 1-5 and 7-11 are allowed.

3. The following is a statement of reasons for the indication of allowable subject matter:

Claim 1 has been amended to overcome the prior art. Examiner agrees with Applicant's argument regarding claim 1.

The prior art of record does not disclose or render obvious a motivation to provide for an actuator as defined by the limitations of claim 1, including a motor and a wave gear reduction drive disposed with a housing; the motor having a rotational hollow shaft that includes a motor shaft portion; the wave gear reduction drive including a wave generator that includes a rigid cam plate and a wave bearing, and a flexible external gear that includes a cylindrical body, an annular diaphragm and a boss; a first bearing supporting the motor shaft portion in the housing; the wave gear reduction drive end of the rotational shaft supported by the boss via a second bearing; an output shaft mounted to the boss and located inside the hollow rotational shaft and supported in the housing via a cross roller bearing; wherein the cross roller bearing is located in axial alignment with and externally of the diaphragm and the boss; and wherein the cross bearing, the second bearing, the wave bearing, and the first bearing are located in this order from a side of the wave gear reduction drive along the center axis of the housing.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication should be directed to Examiner HO at telephone number (703) 305-0738.

HDH
(703) 305-0738
July 29, 2004

He Ho
HAHO
PRIMARY EXAMINER
Art Unit 3681 7/29/04